

LOCAL MEMBER OBJECTION

COMMITTEE DATE: 20/04/2016

APPLICATION No. 15/03097/MJR APPLICATION DATE: 16/12/2015

ED: **CATHAYS**

APP: TYPE: Full Planning Permission

APPLICANT: The Watkin Jones Group, Great Western Est & S. Glam Est
LOCATION: LAND AND BUILDINGS BOUND BY BRIDGE STREET,
CHARLES STREET AND WESLEY LANE, CARDIFF
PROPOSAL: REDEVELOPMENT OF SITE (INCLUDING RETENTION IN
PART OF BUILDINGS ON CHARLES STREET AND
PARTIAL OR FULL DEMOLITION OF BUILDINGS AT THE
SITE)

RECOMMENDATION 1: That, subject to relevant parties entering into a binding planning obligation in agreement with the Council under **SECTION 106** of the Town and Country Planning Act 1990, within 6 months of the date of this resolution unless otherwise agreed by the Council in writing, in respect of matters detailed in paragraph 9.3 of this report, planning permission be **GRANTED** subject to the following conditions:

1. C01 Statutory Time Limit
2. The consent relates to the application plans numbered:
 - AS01 Site Location Plan
 - AL30 Existing Buildings Drawings – Plans
 - AE30 Existing Buildings Drawings – Elevations
 - AL31 Demolition Drawing – Plans
 - AS10 Rev A Proposed Site Plan
 - AL0B Level -1 Basement Level Plan
 - AL00 Rev A Level 0 Ground Floor Plan
 - AL0M Rev A Mezzanine Level Plan
 - AL01 Rev A Level 1 Floor Plan
 - AL02 Rev A Level 2 Floor Plan
 - AL05 Rev A Level 5-9 Floor Plan
 - AL10 Rev A Level 10-24 Floor Plan
 - AL25 Rev A Roof Level Plan
 - AE01 Rev A Proposed Elevations 01
 - AE02 Rev A Proposed Elevations 02
 - AE03 Rev A Proposed Elevations 03

- AE04 Rev A Proposed Elevations 04
- AE05 Rev A Proposed Elevations 05
- AE06 Rev A Proposed Elevations 06
- AE07 Rev A Proposed Context Elevations 01
- AE08 Rev A Proposed Context Elevations 02
- AX01 Rev A Proposed Site Sections 01
- ASK10 Façade Details 01
- ASK12 Façade Details 02
- ASK13 Façade Details 03
- ASK14 Façade Details 04
- ASK15 Façade Details 05

Reason: The plans form part of the application.

3. The A1 retail floorspace hereby permitted shall only be used for the sale of convenience goods and service uses and not be used for any other purpose including those set out in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or any order revoking, amending or re-enacting that Order with or without modification. For the avoidance of doubt convenience goods shall be taken to mean: Food, drink, tobacco, household cleaning products, newspapers and magazines, medicines, toiletries and lottery tickets. A1 service uses shall be taken to mean: hairdressers, travel and ticket agencies, dry cleaners, internet cafes and coffee shop-type uses.
Reason: To ensure that changes to the type, format and scale of development do not compromise the retail strategy of the development plan and/or national planning guidance.
4. Lettable Unit A identified on dwg. no. AL00A shall be subdivided to provide a minimum of 2 units and the unit occupying the Charles Street/ Bridge Street corner shall be an A3 use or A1 coffee shop type use. For the avoidance of doubt an A1 coffee shop type use serves coffee, other hot and cold drinks, and sandwiches and similar light refreshments for consumption on or off the premises, including baked and toasted sandwiches and rolls.
Reason: To preserve/ enhance the character and appearance of the conservation area.
5. Unless otherwise agreed in writing with the LPA the gross A1 retail floor space (excluding A1 coffee shop type uses) in Lettable Unit A shall not exceed 250 sqm.
Reason: To preserve the character and appearance of the conservation area.
6. In respect of any proposed A3 use and notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 no sale of hot food for consumption off the premises shall take place from the

premises, other than that which is incidental to the primary function as a restaurant/café type use selling food and drink for consumption on the premises.

Reason: to ensure that the use of the premises does not prejudice the amenities of the area.

7. Any proposed D2 use shall be limited to that of a gymnasium or similar facility/ function.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
8. In respect of any proposed A3 use no member of the public shall be admitted to or allowed to remain on the premises between the hours of 12.00 midnight and 06.00 am on any day.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
9. Notwithstanding the provisions of the Town and Country Planning General Development Order 1995 (or any Order amending, revoking or re-enacting that Order) and the Town and Country Planning (Control of Advertisements) Regulations 1992, the ground floor windows of the premises fronting Charles Street and Bridge Street shall allow an open and unrestricted view of the trading areas within the premises and the mezzanine floor windows fronting Bridge Street and Charles Street shall allow an unrestricted view of the window displays within the premises, and the windows shall not be painted, covered over or otherwise obscured without the prior written consent of the Local Planning Authority. Reason: In the interests of visual amenity.
10. C8G No shutter in front of window
11. E1B Samples of Materials
12. No development above ground shall take place until a scheme showing the architectural detailing of the main elevations of the building has been submitted to and approved in writing by the LPA and the development shall not be brought into beneficial use until the approved scheme is implemented.
Reason: To ensure a satisfactory finished appearance to the building.
13. *Ground Gas Assessment:* Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval. Following completion of the approved monitoring scheme, the proposed details of appropriate

gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required. All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

Reason: To ensure that the safety of future occupiers is not prejudiced.

14. *Contaminated Land Assessment:* Prior to the commencement of any above ground development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings shall include: a) an intrusive investigation informed to assess the extent, scale and nature of contamination which may be present, if identified as required by the submitted Phase 1 Desk Study; b) an assessment of the potential risks to: human health; groundwaters and surface waters; adjoining land and property; and any other receptors identified by the submitted Phase 1 Desk Study; c) an appraisal of remedial options, and justification for the preferred remedial option(s).

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, and property is sufficient to enable a proper assessment.

15. *Remediation and Verification Plan:* Prior to the commencement of any above ground development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16. *Remediation and Verification:* The approved remediation scheme must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
Reason : To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
17. *Unsuspected Contamination:* In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the LPA, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the LPA. Following remediation a verification report must be submitted to and approved in writing by the LPA. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any contamination.
Reason: To ensure that the safety of future occupiers is not prejudiced.
18. *Imported Soils:* Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.
Reason: To ensure that the safety of future occupiers is not prejudiced.
19. *Imported Aggregates:* Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme

of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

20. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.
Reason: To ensure that the safety of future occupiers is not prejudiced.
21. No above ground development shall take place until a site assessment, including ground permeability testing, has been undertaken to determine whether sustainable drainage techniques can be utilised, and a drainage scheme for the disposal of both surface water and foul water including any connection to the existing drainage system has been submitted to and approved by the Local Planning Authority. The works shall be implemented in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
Reason: To ensure an orderly form of development.
22. No habitable room shall be occupied until the approved noise mitigation façade insulation works measures specified in Figure 4 and Table 5 of the Ambient Noise Assessment Report by PDA Ltd., dated December 2015, have been installed, or other mitigation measures agreed in writing by the Local Planning Authority.
Reason: To ensure that the amenities of future occupiers are protected.
23. A scheme of sound insulation works to the floor/ceiling and party wall structures between the commercial units and any residential accommodation shall be submitted to and agreed by the Local Planning Authority in writing and implemented prior to occupation of the commercial unit to which it relates.
Reason: To ensure that the amenities of future occupiers are protected.
24. No member of the public shall be admitted to or allowed to remain on the premises of any ground floor A3 unit between the hours of 12:00 midnight and 06:00 on any day.

Reason: To ensure the amenity of future residents and occupiers of other premises in the vicinity are protected.

25. There shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 20:00 and 08:00.
Reason: To ensure that the amenities of future residents and occupiers of other premises in the vicinity are protected.
26. The rating level of the noise emitted from fixed plant and equipment on the site shall not exceed the existing background noise level at any time by more than 5dB(A) at any residential property when measured and corrected in accordance with the current British Standard 4142.
Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.
27. No above-ground development shall take place until a scheme showing details of the 136 undercover and secure cycle parking spaces has been submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into beneficial use until the approved scheme is implemented.
Reason: To ensure that adequate provision is made for the secure parking of cycles.
28. No part of the development hereby permitted shall be commenced until a scheme of construction management has been submitted to and approved by the Local Planning Authority, to include as required but not limited to, details of site/compound, details of highway/footway closures, site hoardings and access/egress, etc. Construction of the development shall be managed strictly in accordance with the scheme so approved.
Reason: In the interests of highway safety and public amenity.
29. The student accommodation element of the development hereby permitted shall not be occupied until a travel/ parking/ traffic/ resident/ letting management plan to include the promotion of public transport and other alternatives to the private car; the management of traffic at the start and end of term; the control of vehicular access to the site; and the exclusion and control of student resident car parking within the site and surrounding area, has been submitted to and approved by the Local Planning Authority.
Reason: In the interest of highway safety and to regulate the impact of the development on use of the adjacent highway.
30. No part of the development hereby permitted shall be occupied until a plan for the management of delivery and servicing associated with that part of the development has been submitted to and approved by the

Local Planning Authority; the plan to include the management of day to day access, deliveries and servicing, details of the maximum vehicle size(s), times and days of permitted access, control and management of noise. Management of the delivery and servicing associated with the development shall be carried out strictly in accordance with the plan so approved.

Reason: In the interests of highway safety and public amenity.

31. Details of the strategy for dealing with the storage, recycling and collection of waste of the part of the development to which it relates shall be submitted to and approved by the Local Planning Authority and the scheme shall be constructed in accordance with the approved details prior to the development being put into beneficial use.

Reason: To ensure that the amenities of the area are protected.

32. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The works shall be implemented in accordance with the scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

33. No site clearance/demolition of buildings to take place between 1st March and 15th August unless otherwise approved in writing by the Local Planning Authority.

Reason: To avoid disturbance to nesting birds which are protected under the 1981 Wildlife and Countryside Act.

RECOMMENDATION 2: The highway works condition and any other works to the existing public highway (to be undertaken by the developer) are to be subject to an agreement under Section 278 Highways Act 1980 between the developer and Local Highway Authority.

RECOMMENDATION 3: The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints and;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates / soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under section 33

of the environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:

- Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

RECOMMENDATION 4: To protect the amenities of occupiers of other premises in the vicinity attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974 in relation to the control of noise from demolition and construction activities. Further to this the applicant is advised that no noise audible outside the site boundary adjacent to the curtilage of residential property shall be created by construction activities in respect of the implementation of this consent outside the hours of 0800-1800 hours Mondays to Fridays and 0800 - 1300 hours on Saturdays or at any time on Sunday or public holidays. The applicant is also advised to seek approval for any proposed piling operations.

RECOMMENDATION 5: It is recommended that prior to demolition at least one bat emergence survey is carried out in the summer months (May to August). If bats are present suitable mitigation measures are to be agreed in writing with the Council Ecologist.

RECOMMENDATION 6: Aviation warning lighting is not a statutory requirement in this case because the building is less than 150m tall. However given the height of the building the applicant is advised to liaise with the CAA and Cardiff Heliport to ascertain whether it would be appropriate for the top of the building to be lit because of the proximity of the visual reporting point (VRP) near Cardiff Heliport.

1. **DESCRIPTION OF PROPOSED DEVELOPMENT**

- 1.1 A detailed application for the partial demolition and redevelopment of the site for a mixed use development comprising purpose-built managed student accommodation in a 26 storey tower including basement (91m high, above ordnance datum, ranging from c.81.5 to 82 metres above ground level). Retail/ commercial units are proposed at ground floor level facing on to Charles Street and Bridge Street, and an alcohol treatment centre on Wesley Lane, together with ancillary and communal facilities, including a roof garden for use by students.
- 1.2 The student accommodation (463 bedspaces) comprises 121 studio bedrooms and 72 cluster flats (342 bedspaces). A studio unit is a self-contained unit with kitchen, dining and living facilities. The cluster units comprise a number of single bedrooms (generally 4 bedrooms each with study area and shower/toilet) and generous shared kitchen, dining and living facilities.
- 1.3 Communal facilities include 3 common rooms on ground, mezzanine and first floors, and external amenity space in the form of a roof garden at first floor level, and laundry and private study area at mezzanine level. The refuse store, cycle store and plant room are located on the ground floor.
- 1.4 The development includes two flexible retail/ commercial units measuring 578 and 439 sqm respectively and providing active frontages to Charles Street and Bridge Street. A variety of uses are applied for including A1 shops, A2 financial and professional services, A3 food and drink, D1 non-residential uses, and D2 assembly and leisure. A new alcohol treatment centre (D1 use class) is provided on Wesley Lane, replacing the one already on the site
- 1.5 Numbers 55 to 61 Charles Street are retained and totally remodelled internally to accommodate a larger and more flexible retail/ commercial double height floorplate. The height and massing of the historic terrace is unchanged and the Charles Street elevation is essentially retained and renovated.
- 1.6 The requirement to retain the historic Charles Street terrace and to minimise the impact on the conservation area and the listed chapel on Churchill Way has defined the siting and massing of the bulk of the student accommodation. The tower element is located centrally with its long axis orientated north-south. To the rear of the site between the tower and the listed chapel building and fronting Wesley Lane is an 11 storey high student block. To the other side of the tower the Wesley Lane building steps down to 5 storeys to respect the Charles Street terrace. The Wesley Lane building is finished in a subdued dark brickwork.
- 1.7 The footprint of the tower is set back 1.0m from the Bridge Street pavement which allows the 5 storeys high strip of development on Bridge Street to be

read as a continuous frontage terminating on Charles Street and forming a prominent corner adjacent to the historic terrace.

- 1.8 The Bridge Street building is clad in a vertical pattern of aluminium composite metal panels and expanded metal mesh panels above a continuous double height fully glazed ground floor frontage. The single main entrance for the student accommodation is located centrally on Bridge Street at the foot of the student tower.
- 1.9 The student tower will be up to 82 metres above ground level, and will be significantly taller than neighbouring tall buildings and, by virtue of its height, a landmark on the city's skyline. A number of verified views were agreed early in the discussions and these, together with closer street views, have been used to assess the landscape and visual impact of the building on the city skyline, and its impact on the streetscape, and in particular on the character and appearance of the Charles Street conservation area and the setting of the Churchill Way conservation area.
- 1.10 The palette of building materials is limited to a stone-coloured fibreglass reinforced concrete (GRC) cladding panel, metal cladding panels (Anodised Aluminium Composite Panels), a copper/ bronze coloured expanded metal mesh, brick and glass.
- 1.11 Numbers 71 and 71a Bridge Street, which were constructed in the mid 1980s in a partially matching style to that of the historic terrace, are to be demolished. The single storey restaurant building (a former industrial building) on Wesley Lane and the warehouse building and other outbuildings to the rear of the Charles Street terrace are also to be demolished. The buildings to be demolished are not historically significant and do not make a positive contribution to the conservation area. An application for conservation area consent for demolition of these buildings is under consideration.
- 1.12 The ground floor treatment on Charles Street retains the door openings and steps although it is likely that these will not be used as entrances and will be converted to window openings.
- 1.13 The proposals aim to achieve a BREEAM 'very good' rating.
- 1.14 The following information is submitted:
 - Design and Access Statement
 - Planning and Student Accommodation Statement
 - Retail statement
 - Community Involvement Statement
 - Desk-based Archaeological Assessment
 - Draft Construction Management Plan
 - Ecological Appraisal

- Energy Statement
- Flood Consequences Assessment
- Student Management Plan
- Wind Assessment
- Sustainability Statement
- Phase 1 Geo-environmental Preliminary Risk Assessment (Desk Study)
- Transport Statement
- Framework Travel Plan
- Ambient Noise Assessment
- Contaminated Land Statement
- Daylight and Sunlight Assessment
- Air Quality Impact Assessment
- Heritage Statement
- Landscape and Public Realm Design Statement

1.15 In accordance with the T&CP Environmental Impact Assessment (England and Wales) Regulations 1999 the development was screened to consider whether the scale of the proposal would require the submission of an Environmental Statement (ES) to assess the environmental impact of the development.

1.16 The screening opinion dated 20.10.15 concluded that an ES is not required for the following reasons:

- In relation to size the development proposes an approximately 82m high slender tower which will form part of a cluster of high rise buildings in the city centre. The development will be visible from around the city centre and in long views from the east and a visual impact assessment has been carried out based on a number of verified key views agreed with the Council. The visual impact of the development on the city's skyline is considered to be relatively minor and beneficial given its height, the form and silhouette of the tower, and the cumulative impact when viewed together with the other tall buildings in the vicinity, which include Helmont House (55m) and the Admiral office block (61m), all located within a 100m radius of the site.
- The development is not located within, nor is it close to, an environmentally sensitive location as defined by Schedule 3 of the regulations, and there are no areas around the location which contain important, high quality or scarce resources which could be affected by the development. The majority of the site is within the Charles Street Conservation Area however conservation areas are not considered to be environmentally sensitive locations as defined by the EIA Regs. The impact of the development on the conservation area (and the adjacent Grade II listed former chapel) will be considered as part of the normal planning application process

- The student residential use is a car-free development (no parking provision is proposed) and will not therefore result in any additional traffic movements or associated noise and emissions, and will not give rise to any unusually complex or potentially hazardous environmental effects.

In conclusion the environmental impact is capable of being considered as part of the normal planning application process and the application does not therefore require the submission of an Environmental Statement.

- 1.17 An early iteration of the scheme was presented to the Design Commission for Wales on 12.8.15. The Commission was very supportive of the scheme which enables a large amount of accommodation to be accommodated on site in a sensitive way, and will help regenerate this neglected corner of the city. The Commission was supportive of the scheme and did not rule out a taller building on this site subject to a visual impact assessment. The inclusion of flexible active mixed uses at ground floor was welcomed, and a high quality public realm was emphasised.

2. **DESCRIPTION OF SITE**

- 2.1 The 0.2 ha application site is located in the on the corner of Charles Street and Bridge Street in the Central Business Area, in a highly sustainable location close to public transport and city centre facilities. The Central Train and Bus Stations are c. 500m to the southwest, Queen Street Station is approximately 200m to the east. The University of South Wales Cardiff and the Cardiff University campus is within easy walking/ cycling distance.
- 2.2 The site is bounded to the west by Charles Street, a predominantly pedestrian route which is closed to vehicles at its northern Queen Street end; to the south by Bridge Street, a busy city centre thoroughfare; and to the north by Wesley Lane, a narrow lane servicing the backs of Charles Street and Churchill Way premises. Wesley Lane is gated off and closed to vehicles and pedestrians at its northern end.
- 2.3 The majority of the site is located in the Charles Street Conservation Area. The existing buildings are all in the conservation area and comprise nos. 55 - 61 Charles Street, nos. 71 and 71a Bridge Street, a warehouse and outbuildings to the rear of the Charles Street properties, and the Restaurant on Wesley Lane.
- 2.4 Nos. 55 – 61 Charles Street are of historic and architectural significance and are to be retained and converted to retail use. The other buildings are of little or no historical significance and are to be demolished, subject to conservation area consent. The greater part of the vacant eastern half of the site bordering the listed former was formerly occupied by the Wesley Sunday School (latterly

used as a warehouse and demolished in 2006) and is now used as a surface car park.

- 2.5 Charles Street is one of the city's earliest streets and is characterised by groups of stuccoed 2 or 3 storey Mid 19th century Victorian townhouses in an Italianate style. The predominant uses are now offices, shops, bars, clubs and restaurants. The view looking north up Charles Street is identified in the conservation area appraisal document as a key view.
- 2.6 Immediately to the east of the site is the Grade II listed former Presbyterian chapel on Churchill Way which is now in use as a bar and restaurant. The building is located in the Churchill Way conservation area which abuts the Charles Street conservation area.
- 2.7 On the opposite side of Charles Street is the Cardiff Job Centre, an undistinguished low-rise 1980s building.
- 2.8 The area has a diverse built environment which is very mixed in character, both in terms of uses and in terms of building ages, styles and heights. Uses include offices, commercial, retail, hotels, leisure and residential.
- 2.9 There are a number of tall buildings in the immediate vicinity - Admiral Insurance HQ building c. 61m high, Belmont House (Premier Inn Hotel and offices) c. 55m, and Landmark Place (residential) c. 51m high. The tallest building in Cardiff is Capital Tower (80m). It was resolved to grant planning permission for Customhouse Street student housing tower (132m), which if built will be the tallest building in Cardiff, at March Planning Committee.
- 2.10 The materials of the taller buildings in the vicinity are a mix of pre-cast stone cladding (Admiral), render, glass curtain walling, and medium or low quality metal cladding. The massing, form and detailing of these larger buildings is often very bulky, of a similar height (c. 50 to 60m), and generally unexceptional.
- 2.11 Footfall around the site is high as a result of the Admiral HQ development and likely to increase significantly as a result of this development, and future development of the Ivor House site to the other side of Bridge Street. Planning Cttee resolved to grant Outline PP for a mixed use redevelopment of the Ivor House site, including a 19 storey residential tower, in 2007.
- 2.12 The site is located in the Central Business Area (CBA) of the adopted Cardiff Local Development Plan (LDP), immediately to the north of the Cardiff Central Enterprise Zone (LDP Policy KP2A refers), and approximately 100m east of the Central Shopping Area.

3. **PLANNING HISTORY**

- 15/3098/MJR Application under consideration for conservation area consent for partial and full demolition of properties on land bound by Bridge Street, Charles Street and Wesley Lane, Cardiff
- 08/1699/C Full PP granted in September 2008 for a 5 storey hostel with retail at ground floor
- 06/202/C Full PP granted in December 2006 for a 5 storey retail/ office development
- 06/208/C Conservation area consent granted in April 2006 for the demolition of Wesley Hall and annexes

4. **POLICY FRAMEWORK**

National policy

- 4.1 Planning Policy Wales (PPW) Edition 8, 2016 favours the sustainable re-use of previously developed land.
- 4.2 The following Technical Advice Notes (TANs) are relevant:
- TAN 12: Design (2009)
- 4.3 The following policies of the recently adopted 2016 City of Cardiff LDP are relevant to the consideration of this application:-
- KP5 Good Quality and Sustainable Design
 - KP6 New Infrastructure
 - KP7 Planning Obligations
 - KP10 Central and Bay Business Areas
 - C1 Community Facilities
 - C5 Provision for Open Space, Outdoor Recreation, Childrens' Play and Sport
 - EC3 Alternative Use of Employment Land and Premises
 - EC4 Protecting Offices in the Central and Bay Business Areas
 - EN3 Landscape Protection
 - EN9 Conservation of the Historic Environment
 - EN12 Renewable Energy and Low Carbon Technologies
 - H6 Change of Use or Redevelopment to Residential Use
 - R6 Retail Development (Out of Centre)
 - R8 Food and Drink Uses
 - T1 Walking and Cycling
 - T5 Managing Transport Impacts
- 4.4 The following Supplementary Planning Guidance relates to the previous 1996 Local Plan. It is under review following the adoption of the LDP however it remains a material consideration in considering the application insofar as it is consistent with LDP policy:
- Tall Buildings (2009)

- City Centre Strategy (2007)
- Open Space (2008)
- Community Facilities and Residential Development (2007)
- Premises for Eating, Drinking and Entertainment in the City Centre (2000)
- Access, Circulation and Parking Requirements (2010)
- Waste Collection and Storage Facilities (2007)
- Charles Street Conservation Area Appraisal (2008)
- Churchill Way Conservation Area Appraisal (2008)

5. **INTERNAL CONSULTEE RESPONSES**

- 5.1 **Land Use Policy:** The proposal includes potentially up to 1016 sqm of A1 retail floorspace which falls outside of any defined centres. It therefore needs to be assessed against policy R6: Retail Development (Out of Centre) of the Adopted Local Development Plan (2006 - 2026), and national planning guidance contained in Planning Policy Wales.
- 5.2 As out-of-centre retail floorspace, the application should be assessed against three standard retail tests:
- whether there is a need for the additional retail facilities proposed in this out-of-centre location;
 - whether the applicants have adopted a sequential approach to their site selection; and
 - whether the proposals would exert an unacceptable impact on shopping centres and strategies with development plan status.
- 5.3 In terms of need, it is recognised that new expenditure arising from the additional residential development will support a convenience goods proposal in this location. In this instance convenience goods retail floorspace should be seen as ancillary to the student accommodation (i.e. to help meet the day to day needs of residents within the development). Furthermore, it is accepted that convenience goods representation in the city centre is fairly limited.
- 5.4 With regard to the 'sequential test', it is recognised that the site is located on the edge of the City Centre, just outside of the CSA (Central Shopping Area). Furthermore, the acceptability of retail at this location has been accepted by applications 06/00202/C and 06/00208/C albeit of a smaller scale.
- 5.5 Provided that the retail floorspace is limited to convenience goods only as put forward in the Retail Statement provided, it is not considered that there will be a significant impact on Cardiff City Centre arising from the level of proposed floorspace. It is acknowledged that given the site requires a range of flexible uses for the ground floor accommodation, it is unlikely that both Units A and B will be occupied by A1 retail development.

- 5.6 It is suggested that a planning condition would need to be attached to the granting of any planning permission in order to control the nature of the retail element of the scheme to minimise the potential for direct competition with retail provision in the CSA. In this instance, the most appropriate means of control would be to limit the floorspace to convenience goods (that fall within the A1 use class) as well as A1 service uses, to provide a greater flexibility in terms of potential occupiers. This would ensure that the proposal would not be attractive to larger retail stores or national multiples selling comparison goods that are best located within the PSA and so would mitigate any adverse policy issues.
- 5.7 An A2 use would be considered an acceptable ancillary use. In terms of A3 (Food and Drink) uses: Policy R8: Food and Drink uses identifies the City Centre (Central Business Area) as an appropriate location for food and drink (A3) uses, subject to detailed considerations. D1 or D2 uses would also not raise any land use policy concerns subject to an assessment of residential amenity.
- 5.8 Strategic Planning (Regeneration) Considerations: This is a large scale proposal, where the increase in floorspace and intensification of use will place increased pressure on the surrounding pedestrian environment, particularly due to the nature of the proposal as student accommodation where movements will take place across a longer period of time, including late at night.
- 5.9 The public realm surrounding the site is generally of a poor quality and there is a need for it to be upgraded to a standard commensurate with recent developments in the immediate vicinity in order to provide a safer and more efficient pedestrian environment than that which serves the area at present.
- 5.10 Planning Policy Wales, Paragraph 3.4.3 states that 'When a new building is proposed, an existing building is being extended or altered, or a change of use is proposed, developers should consider the need to make it accessible for all those who might use the building. The appropriate design and layout of spaces in, between and around buildings, including parking provision and movement routes, is particularly important in ensuring good accessibility'. As this proposal is for student accommodation, where movements to and from the building will predominantly take place on foot, the public realm in the immediate vicinity of the site should be considered in this context. Cardiff Local Development Plan Policy KP6 (New Infrastructure) seeks that new developments will make appropriate provision for, or contribute towards, necessary infrastructure required as a consequence of proposed development, including public realm improvements.
- 5.11 The recent development of the St David's 2 Shopping Centre and the Admiral Office building directly adjacent to the site have established the palette of

paving materials / street furniture within the core of the city centre and a scheme of public realm improvements are sought as part of this application in order to provide a consistent and coherent treatment throughout the area.

5.12 As part of recent similar student accommodation schemes within the city centre developers have undertaken comprehensive improvements to the public realm as part of their applications. Taking into consideration the scale of the proposed development and to ensure that improvements immediately surrounding the development are provided in a timely manner, it is requested that the developer undertake the following public realm / highway improvement works, as identified on Plan 1:

- The resurfacing of the footways along Bridge Street (between the pedestrian crossing points at the junctions of Barrack Lane and Churchill Way) with granite paving (pink / mixed shades). The associated upgrading of concrete kerbs to conservation kerbs, the replacement of tactile paving, the removal of redundant vehicle crossovers / redundant street furniture and the replacement of street lighting columns.
- The widening of the Bridge Street footway by one meter between the junctions of Charles Street and Churchill Way, in order to improve pedestrian movement space around the building and to enable the provision of tables and chairs along the footway associated with potential Class A3 (coffee shop / snack bar) uses in the ground floor of the building.
- The resurfacing of the footways along Charles Street (to a point north of the Wesley Lane junction) with granite paving (pink / mixed shades). The upgrading of existing kerbs to conservation kerbs. The retention and reinstatement of the existing block paved carriageway. The replacement of tactile paving at the entrance to Wesley Lane. The replacement of street lighting columns and the removal of any redundant street furniture.
- A scheme of street tree retention / enhancement and / or replacement (to be determined through tree survey) at Charles Street.
- The resurfacing of the footways and carriageway along Wesley Lane with black macadam and replacement of existing concrete kerbs.

5.13 ***Parks Service:*** Based on the 2009 Cardiff Council Open Space Survey the Cathays Ward, in which the development is situated, is deficient in open space provision by 24.68 hectares. The quality and facilities of existing open spaces also require improvement, with additional capacity to take into account the increased residential population resulting from the development.

5.14 Demand for usage of the existing open spaces would increase in the locality as a result of the development and therefore the Council considers it appropriate that an off-site contribution is made, calculated in accordance with the guidelines set out in the 2008 Open Space SPG.

- 5.15 Based on no public open space being provided on-site and on an occupancy rate of 463 the contribution will be £242,338 (including the 6% development control administration fee).
- 5.16 The Public Open Space Contribution shall be used by the Council towards the design, improvement and/or maintenance of public open space within the locality of the development site.
- 5.17 **Ecology:** The Council ecologist agrees with the Ecological Appraisal report that the presence of bats on the site is unlikely. An advisory requiring further summer survey work and a nesting birds condition are requested.
- 5.18 **Community facilities:** Where there are no onsite communal facilities a contribution of £410 per person would be required. This development comprises 463 bedspaces, therefore a contribution of £189,830 is sought.
- 5.19 A 'Communal Lounge' of 60.63m² is proposed to Level 1 of the development. This would not be considered enough provision to offset the Community Facilities Contribution, and no reduction would therefore be accepted in the total contribution sought for this development.
- 5.20 Community facilities in the locality of the proposed development are likely to experience an added pressure as a result of the new population. It is envisaged that a forthcoming community facilities contribution would be directed towards these facilities:
- Cathays Community Centre
 - Community Facilities at Cathays Cemetery
- 5.21 **Transportation:** The Officer has no objection subject to standard cycle parking, student travel plan, and construction management conditions, and a condition or legal agreement for highway improvement/ public realm works, and a delivery and servicing management plan. He makes the following comments:
- 5.22 The adopted Access, Circulation and Parking Standards SPG confirms that up to one car parking space per 25 beds may be provided for operational use and that there is no requirement for on-site resident car parking for the sui generis use of student accommodation. In addition, established practice is that one cycle parking space should be provided per two beds for the proposed type of development. Being mindful of the central, extremely sustainable location of the site and that of the proposed use, I am satisfied that the proposed development is compliant with adopted parking policy as submitted, with zero on-site car parking and resident cycle parking at circa 1 space per 3 beds; although I anticipate that demand for cycle parking would be monitored as part of the Travel Plan and enhanced as may be required.

- 5.23 With reference to location and wider development considerations, it is noted that the site is in a central location within the City Centre, with direct access to employment, leisure, shopping and wider university facilities. The site is also within an area where walking, cycling and public transport offer viable, and preferable, daily alternatives to use of a private car; having very good access to both bus and train based public transport services and Cardiff's cycle network. The site is therefore considered to be extremely sustainably located in transport terms and entirely appropriate for the proposed form of development.
- 5.24 It is noted that the introduction of circa 460 residents who will be reliant on walking and cycling for daily journeys will put additional pedestrian traffic onto adjacent footways and crossings in the vicinity of the site. A condition/S106 commitment is therefore sought by Strategic Planning (Regeneration) colleagues and reflected above, to secure public realm footway improvements in the vicinity of the site.
- 5.25 I am also satisfied, subject to agreement of the Traffic Management Plan, that there is sufficient capacity on the adjacent public highway to accommodate the arrival and departure of students at the start and end term. The management plan will also assist with the control of access to and student car parking within the site and surrounding area.
- 5.26 It should also be noted that a separate licence will be required for the provision of tables & chairs on the footway, associated with any A3 use of the ground floor units. All costs associated with securing and maintain the above (or any other) licence, permission or agreement required to facilitate the development must be met by the developer/operator as appropriate to the licence/activity.
- 5.27 **Highways (Drainage):** No objection in principle. Details should be forwarded to DCWW.
- 5.28 **Pollution Control (Contaminated Land):** The Officer notes the contents of the Contaminated Land Statement and Phase 1 Desk Study which provide an initial assessment of the site. No objection subject to standard contaminated land assessment, remediation and verification conditions, and unforeseen contamination, imported aggregates, and use of site won materials conditions, and a contamination and unstable land advisory notice.
- 5.29 **Pollution Control (Noise & Air):** The PC Officer notes that the mitigation measures proposed in the Ambient Noise Assessment are acceptable and requests a condition requiring that the façade insulation works are carried out in accordance with the specifications in the noise report.

- 5.30 **Waste Management:** Confirms that the residential refuse storage area shown in the refuse strategy plan is acceptable provided that the residential refuse is collected 2-3x per week. The refuse storage area for the commercial uses is considered acceptable.

6. **EXTERNAL CONSULTEE RESPONSES**

- 6.1 **Welsh Water:** No objection subject to a condition requiring submission of a drainage scheme that includes details of points of communication for foul water, a surface water drainage strategy informed by the findings of percolation tests which demonstrates surface water drainage consistent with sustainable drainage principles, and where a surface water communication with the public sewer can be justified on the basis of the submitted drainage strategy it shall be connected to the 600mm surface water sewer and attenuated to an agreed discharge rate. The DCWW response has been forwarded to the applicant.
- 6.2 **GGAT:** The proposal will require mitigation. A condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource (a watching brief) should be attached to any consent.
- 6.3 **South Wales Police:** No objection. SWP confirm that community safety and security issues have been addressed through the design process. The applicant has indicated that they wish to work with SWP to achieve 'Secured by Design' standards.
- 6.4 **South Wales Fire and Rescue Service:** The developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances.
- 6.5 **Natural Resources Wales:** No objection subject to a recommendation that the Council Ecologist is consulted to determine if there is a reasonable likelihood of bats being present. If so a survey in accordance with TAN 5 a bat survey may be required. The developer's attention is drawn to the Development Industry Code of Practice for the disposal of waste and the Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials. The NRW response has been forwarded to the applicant.
- 6.6 **CADW:**
The Scheduled ancient monument, GM171, Cardiff Castle and Roman Fort is located c.480 m to the NW of the proposed development and GM173, Dominican Priory (GM173) c.880m to the NW of the proposed development.

The proposed development area is located within existing urban development. The application is accompanied by documentation including a Design and

Access Statement (DAS), Heritage Statement, Landscape and Public Realm Design Statement and a Desk- Based Archaeological Assessment.

GM171, Cardiff Castle and Roman Fort, located c.480m to the NW of the proposed development: the Scheduled Monument consists of the remains of Cardiff Castle which form a significant collection of archaeological remains which include a Roman fort, a Norman motte and bailey, a medieval castle, 18th century buildings and the late 19th century additions and restorations of the 3rd and 4th Marquesses of Bute.

GM173, Dominican Friary located c.880m to the NW of the proposed development: the Scheduled Monument consists of the remains of a medieval church, cloisters and associated buildings.

The proposed development will not impact upon the physical remains of either of the above Scheduled Monuments. However, potential impacts upon the settings of Scheduled Monuments are a material consideration within the planning process.

The construction of a 26 storey building in this location has the potential to have an adverse impact on the settings of the above Scheduled Monuments. The potential impact is not considered in the Desk-Based Archaeological Assessment carried out by Rubicon Heritage Services UK Ltd., which is based upon a study area defined as a zone 500m from the centre point of the proposed development (1km diameter) , which does not include Cardiff Castle and Roman Fort or the Dominican Friary.

However, in our opinion, the impact of the proposed building, constructed within an existing urban landscape including other tall buildings, is unlikely to have a significant impact upon Cardiff Castle and Roman Fort or the Dominican Friary.

7. **REPRESENTATIONS**

- 7.1 The proposals were advertised as a major application in the press and on site, and neighbours and Local Members were consulted. A public consultation exercise was organised by the applicant and took place at the Park Inn on 19th October 2015.
- 7.2 Letters of objection have been received from Cllr. Clark (Cathays), 3 residents of Landmark Place, and a resident of Charles Street.
- 7.3 Cllr. Clark objects on the following grounds:
- Excessively tall building out of scale with surrounding buildings;
 - Design of tall building not of required exceptional quality;
 - Overshadowing/ overlooking of nearby buildings;
 - Quality/durability of proposed materials;

- No objection to principle of student housing on the site but should not be considered until there is a robust overall strategy for student accommodation in the city in place – including this and the Watkin Jones Bridge Street application over 5,000 student beds have been approved in high rise blocks close to the city centre over the last 5 years;
- Residents of Landmark Place in Churchill Way not consulted.

7.4 The St. David's Shopping Centre raise the following concerns:

- Scale of the development demands high quality design and excellent quality durable materials/ finishes. In the absence of upfront details this to be secured by condition;
- Independent wind assessment required to ensure impact on Charles Street and Bridge Street footways is acceptable;
- Construction management plan to be secured by condition with particular attention paid to delivery times and consultation with local businesses and residents on development phasing and management procedures;
- Further details of change-over management to be provided prior to determination to enable the public to make representations on the additional information.

7.5 The residents of Landmark Place object on the following grounds:

- Excessively tall building out of scale with surrounding buildings;
- Overconcentration of student housing in the city centre to the detriment of an employment use, hotel, or residential use;
- Adverse impact on sunlighting and on views;
- Increased on-street parking pressures;
- Increased pressure on city infrastructure, eg. rubbish collection.

8. **ASSESSMENT**

Land Use

8.1 The application site is located in the LDP Central Business Area. The relevant LDP policy (KP10) states that, in addition to major office and commercial leisure uses, residential uses are considered appropriate. Residential development in the Central Business Area is considered to support the delivery of balanced mixed use areas which can create sustainable urban neighbourhoods, and contribute to the daytime and evening economy.

8.2 Whilst student accommodation is a 'sui generis' use, the nature of such a use exhibits many characteristics of a typical high density city centre residential scheme, particularly in terms of impact on its surroundings / environs and the need to protect the amenity of future residents and adjoining businesses.

- 8.3 Loss of Employment Land/ Premises: In relation to policies EC3 Alternative Use of Employment Land and EC4 Protecting Offices in the CBA the site is not an existing office use, and there is therefore no loss of office use.
- 8.4 Furthermore approximately half of the site is cleared and has remained undeveloped for more than 10 years. Planning permissions granted in 2008 for a 5 storey hostel and ground floor retail, and in 2008 for a 5 storey office development and ground floor retail were never implemented and have lapsed.
- 8.5 Redevelopment of the site would not therefore result in the loss of a viable office site, or office premises.
- 8.6 Acceptability of student housing in the city centre: It is acknowledged by the LDP that student accommodation uses can be appropriate within city centre locations, as evidenced by similar recent student housing developments: Summit House (83 bed spaces); Shand House (198 bed spaces); Northgate House (67 bed spaces); Windsor House (321 bed spaces, nearing completion); Capital Quarter, Tyndall Street (602 bed spaces, on site); Howard Gardens (671 bed spaces, on site); Caradog House (378 bed spaces, PP granted 2015); Fitzalan Court (355 bed spaces, PP granted 2016); and Customhouse Street (447 bedspaces, resolution to grant PP March 2016).
- 8.7 The strong demand for purpose-built student accommodation in Cardiff is likely to continue – data provided by the applicant indicates that of the approx. 35,000 full-time students studying at higher education institutes in the city only about 10,000 bed spaces are in purpose-built student accommodation, with a further 3,450 bed spaces in the pipeline (consented schemes).
- 8.8 Given the Council's policy framework, and the attractions to developers and student housing providers of a highly sustainable central location, a significant proportion of the purpose-built student housing shortfall is likely to be met in or close to the Central Business Area / Cardiff Central Enterprise Zone.

Design

- 8.9 The architectural approach has emerged from detailed analysis of the surrounding environment, the historic context and the wider city context. Quality and longevity have underpinned the design process and developing this site will make use of an underutilised site in the city centre and secure the future of the site whilst regenerating the immediate area and beyond.
- 8.10 Impact on the city skyline: The building is significantly higher than its immediate neighbours. LDP design policy KP5 requires new development to be of high quality, sustainable design that makes a positive contribution to the creation of distinct places and spaces and responds to the local character and

context of the built setting. Tall buildings shall be highly accessible for pedestrians and public transport, and located within an existing or proposed cluster of tall buildings.

- 8.11 The 2009 Tall Buildings SPG is under review following the adoption of the LDP. However it remains a material consideration in considering the application insofar as the SPG is consistent with LDP policy.
- 8.12 The SPG states that tall buildings will be assessed having regard to locational criteria, specifically that they will only be acceptable where they:
- Are located within easy walking distance of public transport hubs;
 - Create a positive feature in the city skyline;
 - Add to legibility of city and wider townscape;
 - Terminate or enclose important vistas;
 - Have a minimal visual impact on sensitive historic environments (including conservation areas and their setting).
- 8.13 The SPG also states that tall buildings will be assessed having particular regard to their design, specifically:
- Form and silhouette of the building;
 - Quality and appearance;
 - Impact and interface at street level;
 - Sustainable design
- 8.14 In terms of location the building is within easy walking distance of railway stations, the bus station, and the city centre shops and facilities, and is well served by buses with stops adjacent to the site. It is also centrally located for higher education institutions.
- 8.15 The visual impact on the city skyline has been tested by means of verified long-distance views from Park Place and Rumney Hill. The views demonstrate how the building in long views from the east will form a central focal point to an existing cluster of tall buildings. In views from the north and south where the building is viewed on its long axis the tall slim tower will enhance the skyline by adding additional height and interest. The form and silhouette of the building in relation to the city skyline is acceptable.
- 8.16 The location of the tower at the southern end of Charles Street aids legibility by terminating a vista down Charles Street from the north. In these views from the north it also complements the Admiral HQ building. The development is anchored by the tall building and creates a strong piece of townscape at a busy but non-descript junction. Footfall in this area is heavy with people accessing the city centre from Queen Street and Queen Street station. Together with the Admiral HQ it will regenerate this particular part of the city and provide a high quality marker for the future redevelopment of the Ivor House site immediately to the south

- 8.17 *Impact on the streetscape:* The visual impact on the streetscape in the immediate vicinity has been tested by means of a series of verified views from key viewpoints, namely Charles Street, Guildford Crescent, Churchill Way junction, and Churchill Way (north end).
- 8.18 The proposals develop a prominent partially cleared corner site, retaining the historic terrace, enclosing the junction and emphasising the corner, and provide a high quality addition to the streetscape (see ground floor interface below) which significantly enhances the close-up street views. Taken together with the Admiral building and associated public realm the proposals regenerate a forgotten corner of the city centre and set a benchmark for potential redevelopment to the south of the site on the Ivor House site, and for future public realm improvements to Charles Street and to Wesley Lane.
- 8.19 The inclusion of a possible future pedestrian link from Wesley Lane to Bridge Street ‘future proofs’ the potential for Wesley Lane to become more of a pedestrian route, and for the introduction of more ground floor active uses as and when the Churchill Way and Charles Street properties are renovated.
- 8.20 The associated public realm, which includes widening Bridge Street adjacent to the development by about 1.0m to allow for spill-out from the corner café use, significantly improves the appearance (and functionality for pedestrians) of this key junction.
- 8.21 *Quality and appearance of facades:* The SPG states that tall buildings must be of the highest quality in terms of appearance and materials.
- 8.22 The simple material palette is established as concrete (Glass Reinforced Concrete), metal (Anodised Aluminium Composite Panel), brick and glass. The expanded metal mesh is consistent throughout and has a functional quality as there will be an openable window behind to provide adequate ventilation to the rooms. This has the added benefit of providing speckled light at night when the light shines through the material.
- 8.23 The variation in the facade is created by alternating panel sizes of concrete (GRC). There are two panel widths, some of which project to create shadows on the facade and give a sense of depth adding to the feeling of quality. The expanded mesh panel is a constant width throughout and there are two widths of windows. The base of the building is simply metal and glass. There are solid ACM panels as well as the expanded mesh (albeit this will be the same metal appearance) and this will provide the appearance of a unified mass at lower level providing a strong presence for the building at street scale.
- 8.24 The existing buildings are currently rendered and the intention is to refurbish the facades and paint the buildings a dark grey. As well as linking them with

the proposed new buildings, this will create a commercially attractive destination in a building with historic character. Along Wesley Lane, the use of brick creates a more domestic appearance, linking with the lower scale development further along Wesley Lane and on Churchill Way. The simple blocks contrast with some of the busier facades and create a backdrop for the existing buildings retained on Charles Street and for the existing Chapel to the east of the site.

- 8.25 Conditions are attached requiring submission of sample materials and architectural details of the façade, and a sample panel of the façade will be erected on site to control quality and appearance. It is understood that the project architects will be retained to supervise construction of the building.
- 8.26 The form and silhouette of the tower and its impact on the city skyline and wider landscape setting and streetscape, and the quality and appearance of architectural detailing and materials, is acceptable.
- 8.27 *Ground floor interface:* The internal uses dictate that all of the frontage along both Charles Street and Bridge Street is retail or student entrance area with active reception space and communal lounge. Particular attention during the design process has been given to the corner between Bridge Street and Charles Street to ensure that a destination is created which will draw people who approach the building from far, whilst creating an appropriate transition between the existing and the new architecture.
- 8.28 Large expanses of glazing at pavement level create animated commercial and retail spaces with opportunity to spill uses out on to the pavement where the width of the pavement allows. Within the student entrance, a mezzanine will also create activity at a higher level drawing the eye up towards the tower.
- 8.29 The impact and interface of the building at street level is acceptable.
- 8.30 *Sustainability:* The Sustainability Statement voluntarily targets a BREEAM 'Very Good' rating. This will be achieved through implementing an energy strategy (see below) and various other standard sustainability measures.
- 8.31 Recent changes to national planning policy no longer require buildings to meet national sustainability standards. The reference within the 2009 Tall Buildings SPG to achieving BREEAM 'Excellent' rating does not therefore apply.
- 8.32 LDP Policy EN12 requires major developments to be supported by an independent energy assessment demonstrating how renewable energy and low carbon technologies have been incorporated. A supporting 'Energy Statement' has been submitted.

8.33 The Energy Statement concludes that the use of high performance building fabrics and energy efficient lighting and building services and controls for space heating, cooling and ventilation, and a highly efficient gas-fired CHP system to deliver hot water, results in an efficient low carbon development.

Impact on heritage assets

8.34 PPW and LDP Policy EN9 requires that development will only be permitted where it can be demonstrated that it preserves or enhances the setting of a conservation area and that it preserves the setting of a listed building. The objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

8.35 As noted within the DAS, the design has developed in response to historic environment considerations relating to impacts upon historic fabric, character, appearance and setting raised throughout the pre-application process.

8.36 *Conservation Areas – fabric:* The applicant has submitted a detailed Heritage Statement (from an independent heritage consultancy with IHBC accreditation) to assess the significance and development impact of the proposals. The conclusions of this assessment are well-considered and have influenced the design of the scheme and retention of those buildings which positively contribute to the character or appearance of the Charles Street Conservation Area.

8.37 55 Charles Street: This building is much altered, however it continues to contribute positively to the character of the conservation area through its scale, window openings (albeit sash windows have been lost) and evidential value from its construction date. At pre-application, the lack of rustication and sympathetic architectural detailing was not felt to be sufficient to justify the loss of this building, particularly as previous grant schemes on this street have proved that such details can be successfully reinstated (see attached).

8.38 57-61 Charles Street: These buildings retain much of their character and external appearance, which will be retained within the scheme (retention of façade, roof form and an appropriate depth of plot).

8.39 71 and 71a Bridge Street: It is recognised that number 71 was referenced in the 2008 Conservation Area Appraisal (p.34) which noted its presence as part of a group of distinctive buildings (55-61 Charles St and 71 Bridge St) and concluded that the group 'terminates with a neat corner at Bridge Street'.

8.40 However, the Heritage Statement has since demonstrated these buildings to be of no historic significance (built in 1984) and of little aesthetic value due to the inconsistent fenestration details and lack of presence at this prominent

corner location. Loss of these buildings is therefore considered acceptable in principle.

Conservation Areas – Character, Appearance and Setting

- 8.41 The Heritage Statement provides detailed assessment of the significance and development impact of the proposals in relation to the setting and character of the local historic environment. The conclusions of this statement are considered to be appropriate.
- 8.42 *Charles Street Conservation Area:* The majority of the site is within the Charles Street CA, however much of it is currently either undeveloped land or occupied by rear annexes of those buildings fronting Charles Street.
- 8.43 The development would bring vitality to the Charles Street and Bridge Street frontages, with a 'building base' of an appropriate scale (3-5 storeys) relative to street level views into Charles Street and down towards the junction of Bridge Street.
- 8.44 The additional height on the corner will serve to appropriately mark this gateway, whilst the high quality materials and careful articulation serve to provide a sympathetic contemporary contrast to the retained Italianate terrace.
- 8.45 The replacement side entrance extension to number 55 is appropriately detailed and finished to physically and visually link the building into the new development behind, it will also remove an unsympathetic series of additions fronting Wesley Lane.
- 8.46 The area around the International Arena and Marcol Court is likely to change significantly within the medium to long term, as evidenced by the Admiral headquarters which is clearly visible from Charles Street, but is not considered to harm its setting.
- 8.47 The tower being oriented and set back as proposed takes any potentially overbearing impact away from the conservation area, creating sufficient depth to the composition in order to preserve the overriding scale which characterises the street.
- 8.48 *Churchill Way Conservation Area:* The Churchill Way CA was designated in 1991, 'giving recognition to its historical and architectural quality in the face of increasing pressure for redevelopment in the area' (CA Appraisal, 2008 p.47). Therefore, at the time of designation, the historic character and setting of Churchill Way had already been compromised by redevelopment of the eastern and southern areas of the street.

- 8.49 This means that the remaining three storey villas and listed chapel have been primarily preserved for their group value, fabric and scale as opposed to their relationship to the wider townscape, which is one of contrast.
- 8.50 In terms of the impact of this proposal on the setting of the villas, the combination of the arrangement of appropriate massing, simplicity of detailing, materials and use of colour of the higher elements and the tower itself is considered to leave the character, appearance and setting (the way in which the area is experienced from outside) of the conservation area unharmed.

Setting of Listed Building - Former Welsh Presbyterian Chapel (Grade II)

- 8.51 The height of the Bridge Street frontage is similar to that of previously approved schemes, with the new taller elements set-back to ensure that the former chapel retains prominence within views to the corner of Churchill Way/Bridge Street.
- 8.52 As with the assessment for the setting of Churchill Way, potential impacts of a proposal of this scale on the setting of the former chapel is mitigated by careful design and choice of materials. The assessment of impact upon the listed building put forward within the application documents is considered to be appropriate.

Public realm, landscaping and public art

- 8.53 The public realm proposals significantly enhance the immediate environs of the building and in addition to resurfacing and new hard and soft landscaping works include widening of the pavement, to facilitate a potential sitting-out area for the A3 retail unit. The proposals are acceptable subject to standard landscaping conditions.

Wind Microclimate:

- 8.54 The Wind Assessment provided by the applicant is based on wind tunnel testing of the proposed tower.
- 8.55 Results show that the proposed development will increase slightly the wind speeds at a number of ground level locations. However this is not expected to cause any significant adverse impact because all ground level locations are expected to be suitable for their intended activities (pedestrian strolling/ entrances/ sitting out areas).
- 8.56 In winter there are 15 locations where wind conditions will be unsuitable for long term sitting or entrances. Two locations are on the footway on the Charles Street/ Bridge Street corner and 2 locations on Wesley Lane at the north-east corner of the site. The Bridge Street corner coincides with the proposed entrance to the corner retail unit and an entrance lobby is proposed to mitigate the impact. All other public realm locations on Charles Street and

the northern footway of Bridge Street are acceptable for any pedestrian activity.

- 8.57 In summer, with the exception of two locations on the south side of Bridge Street which are unacceptable for long-term sitting or entrances, all areas of the public realm in the vicinity of the building are suitable for any pedestrian activity.

Impact on daylight and sunlight received by neighbours:

- 8.58 The supporting 'Daylight and Sunlight Assessment' document demonstrates that the proposed development would have a negligible impact on the daylight and sunlight amenity enjoyed by neighbouring properties.
- 8.59 The document makes reference to policies H6 and KP5 of the LDP and adopts an assessment methodology based on the BRE 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice.' (Building Research Establishment, 2011).
- 8.60 *Privacy and overlooking:* The development does not give rise to any privacy or overlooking issues. The 10 storey high eastern gable is about 7.5m from the rear of the Churchill Way properties at its closest point but does not have any habitable room windows.
- 8.61 *Traffic & Transportation:* There are no parking spaces provided on site and no on-street parking in the vicinity. The Students are strongly encouraged not to bring vehicles into the city as part of their tenancy agreements. Sanctions will be applied in the event that their tenancy agreement in this respect is breached. The development is located in a highly sustainable location with direct access to public transport, and within walking/ cycling distance of the city centre and higher education facilities.
- 8.62 There are 136 secure covered cycle spaces in a storage area at ground level. This is consistent with other city centre student housing schemes and is considered acceptable given the site constraints.
- 8.63 Students are required to give advance notice of their moving-in date and the on-site management team organise phased appointments and tight time slots in order to alleviate traffic congestion. Use may also be made of public car parks in the vicinity, principally the Bridge Street car park adjacent to Ivor House. Students will occupy the accommodation for typically up to 51 weeks of the year and drop-off and collection is therefore only undertaken once per year.

Consultation responses

- 8.64 *Parks public open space s106 request:* The proposed development is subject to Policy C5 (Provision for Open Space, Outdoor Recreation, Children's Play

and Sport) of the Local Development Plan, which requires provision or improvement of open space and other appropriate outdoor recreation and sport in conjunction with all new residential developments, including student accommodation, over 8 units.

- 8.65 The policy allows for a financial contribution for off-site provision/improvements where functional open space is not provided on site, and furthermore that this may include improvements to the public realm in line with Policy KP5 High Quality and Sustainable Design.
- 8.66 The principle of utilising POS money on upgrading public realm has been established and is considered appropriate to the particular site and development proposal.
- 8.67 The applicant has offered a total sum of £548,000 in 106 contributions which is broadly comparable to the total amounts secured on other recent large scale student housing developments in the city centre area and is considered acceptable. Given the nature and location of the site, and after discussions with City Centre Strategy and Highways, it is recommended that all of the sum be used towards much-needed public realm and highway improvements in the immediate vicinity of the site.
- 8.68 *Regeneration community facilities 106 request:* The proposed development is subject to LDP Policy C1 Community Facilities which states that on significant residential developments, which will result in increased demand for local community facilities, land, buildings and or financial contributions towards community facilities will be secured through negotiation with the developer.
- 8.69 An email from the agent dated 16.3.16 queried the amount requested by Neighbourhood Regeneration given the area and range of community facilities provided on site, and provided more information on the proposed on-site community facilities.
- 8.70 The 2007 Community Facilities and Residential Development SPG does not provide any criteria for assessing the adequacy or otherwise of onsite provision, stating only that a contribution will be required where there is no onsite provision. However the intention of the document is clearly to mitigate the impact of additional pressure arising from significant residential development on existing community facilities.
- 8.71 The development offers 142 sqm of common room facilities for general use and 190 sqm of protected and well-designed external amenity space, and 72 no. generous kitchen/ dining/ living areas (min size 32 sqm) to serve the 342 students living in cluster flats. I consider this to be acceptable in terms of the SPG criteria and the CIL tests, particularly as students are likely to make use of the extensive city centre facilities right on their doorstep rather than going

outside the city centre and immediate surroundings to use what are very local facilities.

- 8.72 CIL Regulation 122(2) states that a *planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:*
- *necessary to make the development acceptable in planning terms;*
 - *directly related to the development; and*
 - *fairly and reasonably related in scale and kind to the development.*
- 8.73 Cathays Community Centre and Cathays Cemetery community facilities and cannot be considered as being directly related to the development (being minimum 1.5km distant and essentially local facilities), and the financial contribution requested does not therefore in my view meet the CIL tests.
- 8.74 The applicant has offered a total sum of £548,000 in 106 contributions which is broadly comparable to the total amounts secured on other recent large scale student housing developments in the city centre area and is considered acceptable.
- 8.75 Given the nature and location of the site, and after discussions with Highways, the recommendation is that the sum be used towards much-needed public realm and highway improvements in the immediate vicinity of the site.

Representations

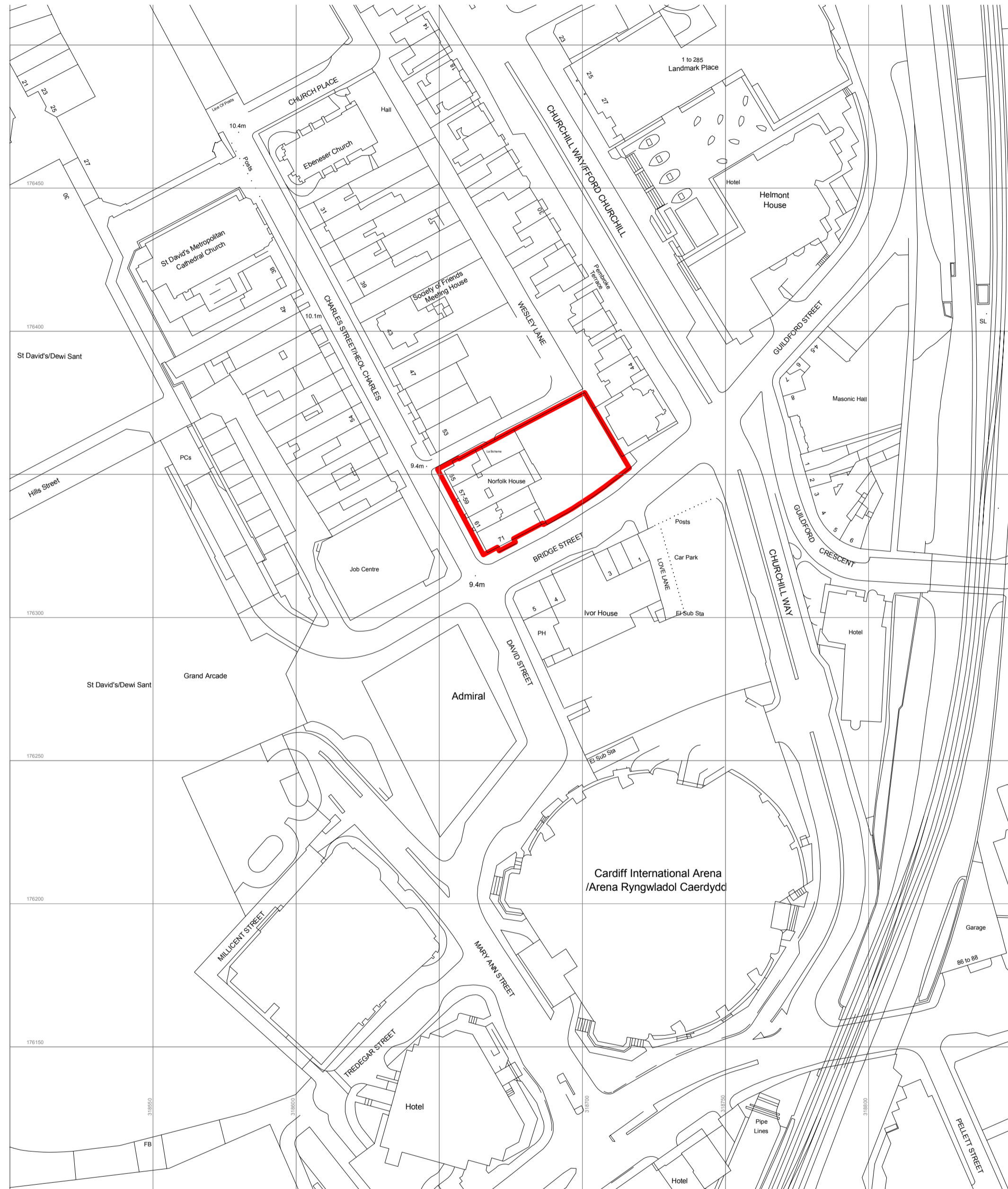
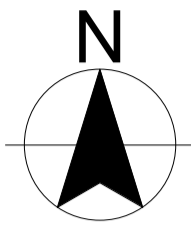
- 8.76 Objections on grounds of proposed land use, height & design, drop-off/ pick-up at start and end of terms, sunlighting, and wind microclimate have been addressed above. Other grounds for objection/ concerns are addressed below:
- 8.77 *Loss of view from the Landmark Place apartments:* Loss of view is not a material consideration. Notwithstanding this Landmark Place is considered sufficiently separated from the proposed development to ensure that the impact upon views from adjacent properties are minimised.
- 8.78 *Construction Management Plan:* The application included a draft construction management plan. Transportation has requested that the application be conditioned to include the submission of a final construction management plan prior to commencement and such a condition has been added. The plan will address the concerns raised by SD2
- 8.79 *Servicing:* There is a condition imposed which requires servicing to take place between the hours of 20:00 and 08:00. Reason: To ensure that the amenities of future residents and occupiers of other premises in the vicinity are

protected. This is in line with servicing hours for other recently consented schemes in the vicinity, eg. Admiral HQ.

9. **CONCLUSION**

- 9.1 The proposals redevelop a brownfield site and provide a significant quantum of high quality purpose-built student housing in a 26 storey tower in a highly sustainable city centre location. The silhouette and form of the tower element of the development will contribute positively to the capital city's skyline, and the proposed uses and design of the ground floor will enhance the streetscape and the character and appearance of the conservation area.
- 9.2 The sensitive location of the tall building and the retention of the historic Charles street terrace minimises the impact of the development on the Charles Street conservation area, and on the setting of the adjacent Churchill Way conservation area and the listed former chapel. On balance the development is considered to preserve the heritage assets.
- 9.3 The granting of planning permission is recommended subject to conditions and the signing of a Section 106 legal agreement (up to a maximum value of £548,000) to secure the following:
- New public realm works including the resurfacing of the footways along Bridge Street (between the pedestrian crossing points at the junctions of Barrack Lane and Churchill Way) with granite paving (pink/ mixed shades). The associated upgrading of concrete kerbs to conservation kerbs, the replacement of tactile paving, the removal of redundant vehicle crossovers / redundant street furniture and the replacement of street lighting columns.
 - The widening of the Bridge Street footway by one meter between the junctions of Charles Street and Churchill Way, in order to improve pedestrian movement space around the building and to enable the provision of tables and chairs along the footway associated with potential Class A3 (coffee shop / snack bar) uses in the ground floor of the building.
 - The resurfacing of the footways along Charles Street (to a point north of the Wesley Lane junction) with granite paving (pink/ mixed shades). The upgrading of existing kerbs to conservation kerbs. The retention and reinstatement of the existing block paved carriageway. The replacement of tactile paving at the entrance to Wesley Lane. The replacement of street lighting columns and the removal of any redundant street furniture.
 - A scheme of street tree retention/ enhancement and/ or replacement (to be determined through tree survey) at Charles Street.
 - The resurfacing of the footways and carriageway along Wesley Lane with black macadam and replacement of existing concrete kerbs.

All as detailed on indicative *Plan1: Proposed extent of public realm improvements*, dated 23.2.16.



Site Location Plan
1 : 1250 at A1



VISUAL SCALE 1:1250 @ A1



Existing Site Plan with Ground
Floor Footprint
1 : 200 at A1



VISUAL SCALE 1:200 @ A1

Notes:

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CDM notes are provided to assist the contractor in managing residual hazards identified during the design stage. Any such notes do not relieve the contractor of his duties and he must provide a safe system of work based on method statements, risk assessments etc.

No.	Description	Date
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Client:
Watkin Jones / M A Rapport

Project :
Bridge Street Development

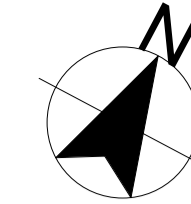
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PLANNING

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Drawn By: FL	Checked By: HJ
Date : 07/12/2015	Date : 07/12/2015

Drawing:
Site Location Plan

Job No:	Drawing No:	Rev:
Rio 0262	AS01	

06/12/2015 17:14:29



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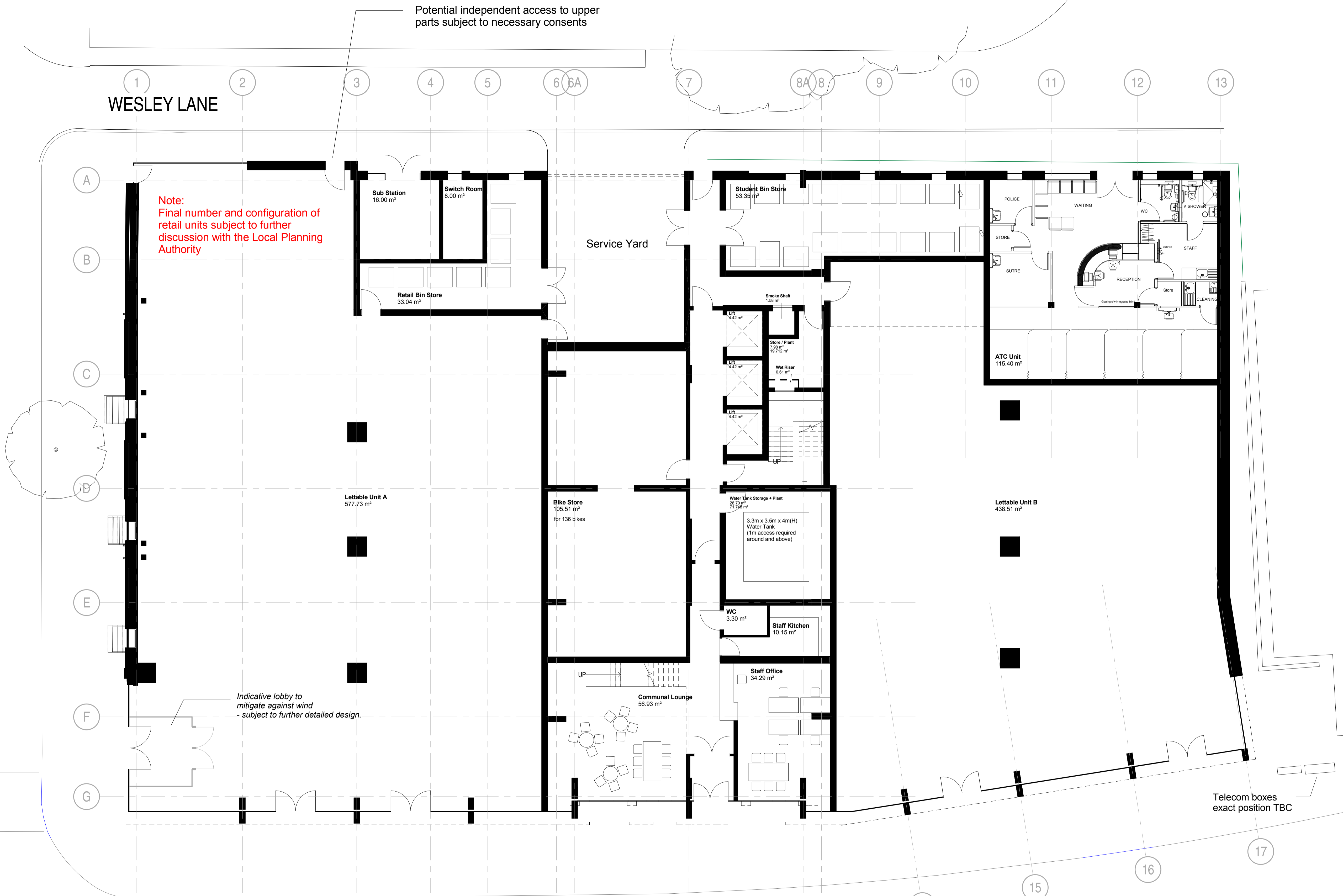
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CHARLES STREET

WESLEY LANE

BRIDGE STREET



Note:
Final number and configuration of retail units subject to further discussion with the Local Planning Authority

Indicative lobby to mitigate against wind - subject to further detailed design.

No.	Description	Date
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Client:
Watkin Jones / M A Rapport

Project:
Bridge Street Development

Drawing Status:
PLANNING

Scale @ A1: 1 : 100	Scale @ A3:
Drawn By: FIL	Checked By: HJ
Date : 07/12/2015	Date : 07/12/2015

Drawing:
Proposed Floor Plans - Level 0

Job No:	Drawing No:	Rev:
Rio 0262	AL 00	



Notes:

Rev.	Description	Ini.	Ch'k	Date
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Project:
Bridge Street Development

Drawing status:
PLANNING

Scale @ A1: No Scale	Scale @ A3: No Scale
Drawn: ISJ	Checked: FFL
Date: 09/12/15	Date: 09/12/15

Drawing:
CGI - Charles Street / Bridge Street Corner

Job No.:	Drawing No.:	Rev.
Rio 0262	AV06	-



Notes:

Rev.	Description	Ini.	Ch'k	Date
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Project:
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Drawing status:
PLANNING

Scale @ A1: No Scale Scale @ A3: No Scale

Drawn: ISJ Checked: FFL

Date: 09/12/15 Date: 09/12/15

Drawing:
Verified Views - Churchill Way Junction

Job No.:	Drawing No.:	Rev.
Rio 0262	AV03	-